

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
GALLEGLY OF CALIFORNIA, OR
HIS DESIGNEE, DEBATABLE FOR 10 MINUTES:

~~AMENDMENT TO H.R. 1950, AS REPORTED~~
~~OFFERED BY MR. GALLEGLY~~

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At the end of title VII (relating to miscellaneous provisions) insert the following:

1 **SEC. 736. DESIGNATION OF FOREIGN TERRORIST ORGANI-**
2 **ZATIONS.**

3 (a) PERIOD OF DESIGNATION.—Section 219(a)(4) of
4 the Immigration and Nationality Act (8 U.S.C.
5 1189(a)(4)) is amended—

6 (1) in subparagraph (A)—

7 (A) by striking “Subject to paragraphs (5)
8 and (6), a” and inserting “A”; and

9 (B) by striking “for a period of 2 years be-
10 ginning on the effective date of the designation
11 under paragraph (2)(B)” and inserting “until
12 revoked under paragraph (5) or (6) or set aside
13 pursuant to subsection (c)”;

14 (2) by striking subparagraph (B) and inserting
15 the following:

16 “(B) REVIEW OF DESIGNATION UPON PE-
17 TITION.—

18 “(i) IN GENERAL.—The Secretary
19 shall review the designation of a foreign
20 terrorist organization under the procedures

1 set forth in clauses (iii) and (iv) if the des-
2 ignated organization files a petition for
3 revocation within the petition period de-
4 scribed in clause (ii).

5 “(ii) PETITION PERIOD.—For pur-
6 poses of clause (i)—

7 “(I) if the designated organiza-
8 tion has not previously filed a petition
9 for revocation under this subpara-
10 graph, the petition period begins 2
11 years after the date on which the des-
12 ignation was made; or

13 “(II) if the designated organiza-
14 tion has previously filed a petition for
15 revocation under this subparagraph,
16 the petition period begins 2 years
17 after the date of the determination
18 made under clause (iv) on that peti-
19 tion.

20 “(iii) PROCEDURES.—Any foreign ter-
21 rorist organization that submits a petition
22 for revocation under this subparagraph
23 must provide evidence in that petition that
24 the relevant circumstances described in
25 paragraph (1) have changed in such a

1 manner as to warrant revocation with re-
2 spect to the organization.

3 “(iv) DETERMINATION.—

4 “(I) IN GENERAL.—Not later
5 than 180 days after receiving a peti-
6 tion for revocation submitted under
7 this subparagraph, the Secretary shall
8 make a determination as to such rev-
9 ocation.

10 “(II) CLASSIFIED INFORMA-
11 TION.—The Secretary may consider
12 classified information in making a de-
13 termination in response to a petition
14 for revocation. Classified information
15 shall not be subject to disclosure for
16 such time as it remains classified, ex-
17 cept that such information may be
18 disclosed to a court ex parte and in
19 camera for purposes of judicial review
20 under subsection (c).

21 “(III) PUBLICATION OF DETER-
22 MINATION.—A determination made by
23 the Secretary under this clause shall
24 be published in the Federal Register.

1 “(IV) PROCEDURES.—Any rev-
2 ocation by the Secretary shall be
3 made in accordance with paragraph
4 (6).”; and

5 (3) by adding at the end the following:

6 “(C) OTHER REVIEW OF DESIGNATION.—

7 “(i) IN GENERAL.—If in a 4-year pe-
8 riod no review has taken place under sub-
9 paragraph (B), the Secretary shall review
10 the designation of the foreign terrorist or-
11 ganization in order to determine whether
12 such designation should be revoked pursu-
13 ant to paragraph (6).

14 “(ii) PROCEDURES.—If a review does
15 not take place pursuant to subparagraph
16 (B) in response to a petition for revocation
17 that is filed in accordance with that sub-
18 paragraph, then the review shall be con-
19 ducted pursuant to procedures established
20 by the Secretary. The results of such re-
21 view and the applicable procedures shall
22 not be reviewable in any court.

23 “(iii) PUBLICATION OF RESULTS OF
24 REVIEW.—The Secretary shall publish any

1 determination made pursuant to this sub-
2 paragraph in the Federal Register.”.

3 (b) ALIASES.—Section 219 of the Immigration and
4 Nationality Act (8 U.S.C. 1189) is amended—

5 (1) by redesignating subsections (b) and (c) as
6 subsections (c) and (d), respectively; and

7 (2) by inserting after subsection (a) the fol-
8 lowing new subsection (b):

9 “(b) AMENDMENTS TO A DESIGNATION.—

10 “(1) IN GENERAL.—The Secretary may amend
11 a designation under this subsection if the Secretary
12 finds that the organization has changed its name,
13 adopted a new alias, dissolved and then reconsti-
14 tuted itself under a different name or names, or
15 merged with another organization.

16 “(2) PROCEDURE.—Amendments made to a
17 designation in accordance with paragraph (1) shall
18 be effective upon publication in the Federal Register.
19 Subparagraphs (B) and (C) of subsection (a)(2)
20 shall apply to an amended designation upon such
21 publication. Paragraphs (2)(A)(i), (4), (5), (6), (7),
22 and (8) of subsection (a) shall also apply to an
23 amended designation.

24 “(3) ADMINISTRATIVE RECORD.—The adminis-
25 trative record shall be corrected to include the

1 amendments as well as any additional relevant infor-
2 mation that supports those amendments.

3 “(4) CLASSIFIED INFORMATION.—The Sec-
4 retary may consider classified information in amend-
5 ing a designation in accordance with this subsection.
6 Classified information shall not be subject to disclo-
7 sure for such time as it remains classified, except
8 that such information may be disclosed to a court ex
9 parte and in camera for purposes of judicial review
10 under subsection (c).”.

11 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
12 Section 219 of the Immigration and Nationality Act (8
13 U.S.C. 1189) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (3)(B), by striking “sub-
16 section (b)” and inserting “subsection (c)”;

17 (B) in paragraph (6)(A)—

18 (i) in the matter preceding clause (i),
19 by striking “or a redesignation made under
20 paragraph (4)(B)” and inserting “at any
21 time, and shall revoke a designation upon
22 completion of a review conducted pursuant
23 to subparagraphs (B) and (C) of para-
24 graph (4)”;



1 (ii) in clause (i), by striking “or redesi-
2 gnation”;

3 (C) in paragraph (7), by striking “, or the
4 revocation of a redesignation under paragraph
5 (6),”; and

6 (D) in paragraph (8)—

7 (i) by striking “, or if a redesignation
8 under this subsection has become effective
9 under paragraph (4)(B),”; and

10 (ii) by striking “or redesignation”;
11 and

12 (2) in subsection (c), as so redesignated—

13 (A) in paragraph (1), by striking “of the
14 designation in the Federal Register,” and all
15 that follows through “review of the designa-
16 tion” and inserting “in the Federal Register of
17 a designation, an amended designation, or a de-
18 termination in response to a petition for revoca-
19 tion, the designated organization may seek judi-
20 cial review”;

21 (B) in paragraph (2), by inserting “,
22 amended designation, or determination in re-
23 sponse to a petition for revocation” after “desi-
24 gnation”;

1 (C) in paragraph (3), by inserting “,
2 amended designation, or determination in re-
3 sponse to a petition for revocation” after “des-
4 ignation”; and

5 (D) in paragraph (4), by inserting “,
6 amended designation, or determination in re-
7 sponse to a petition for revocation” after “des-
8 ignation” each place that term appears.

9 (d) SAVINGS PROVISION.—For purposes of applying
10 section 219 of the Immigration and Nationality Act on
11 or after the date of enactment of this Act, the term “des-
12 ignation”, as used in that section, includes all redesigna-
13 tions made pursuant to section 219(a)(4)(B) of the Immi-
14 gration and Nationality Act (8 U.S.C. 1189(a)(4)(B))
15 prior to the date of enactment of this Act, and such redes-
16 ignations shall continue to be effective until revoked as
17 provided in paragraph (5) or (6) of section 219(a) of the
18 Immigration and Nationality Act (8 U.S.C. 1189(a)).

